

DEPARTMENT OF GAME AND INLAND FISHERIES

PERMIT REQUIREMENTS FOR THE IMPORTATION, POSSESSION, AND CULTURE OF TILAPIAS AND CLAWED FROGS IN VIRGINIA

Under authority of Sections 29.1-103 and 29.1-521 of the Code of Virginia it shall be unlawful to take, possess, import, cause to be imported, export, cause to be exported, buy, sell, offer for sale or liberate within the Commonwealth any wild animal unless otherwise specifically permitted by law or regulation. Unless otherwise stated, for the purposes of identifying species regulated by the Board, when both the scientific and common names are listed, the scientific reference to genus and species will take precedence over common names.

Under the authority of Section 29.1-542 of the Code of Virginia, non-native (exotic) animals otherwise classed as predatory or undesirable, may not be imported into the Commonwealth or liberated therein, or possessed therein, except under a special permit of the Board. Before such permit is issued, the importer shall make application to the Department of Game and Inland Fisheries (Department), giving the place of origin, the name and address of the exporter and a certificate from a licensed and accredited practicing veterinarian, or certified fish pathologist, certifying that the animal to be imported is not manifesting any signs of infectious, contagious, or communicable disease.

EXOTIC SPECIES IMPORTATION PERMIT INFORMATION

A special permit is required and may be issued by the Department, if consistent with the department's fish and wildlife management program, to import, possess, or sell those non-native (exotic) animals listed below that the board finds and declares to be predatory or undesirable within the meaning and intent of Section 29.1-542 of the Code of Virginia, in that their introduction into the Commonwealth will be detrimental to the native fish and wildlife resources of Virginia:

AMPHIBIANS:

Genus/Species	Common Name
<u>Xenopus</u> spp.	Tongueless or clawed frog

FISH:

Genus/Species	Common Name
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- * Tilapia mossambicuss Mossambique tilapia
- * Tilapia nilotica Nile tilapia
- * Tilapia aurea Blue tilapia
- * Tilapia hornorum Zanzibar tilapia

* Genus may also be listed as Oreochromis or Sarotherodon

1. **APPLICATION:** Application for a permit and an application fee (see subsection of this section) shall be submitted to the Department of Game and Inland Fisheries, P. O. Box 11104, Richmond, VA 23230-1104. (All checks made payable to the "Treasurer of Virginia".) The application for a non-native (exotic) permit shall state the name and address of the applicant, the location of the rearing facility, type of water supply, location of the rearing facility, type of water supply, location of the nearest water body or stream, purpose of importation and number of animals to be imported.

2. **TERM OF PERMIT:** Permits issued under the provisions of this section shall be issued on a fiscal year basis beginning July 1 and expiring June 30.

3. **RENEWAL:** It shall be the responsibility of the permittee to initiate any and all renewals.

4. **REVOCATION:** The Department may revoke, or suspend a permit for failure to comply with provisions of a permit, or failure to comply with these regulations.

Any person whose permit is revoked, or suspended, may request a hearing before the Department to show cause why his/her permit should not be revoked, or suspended (VR 325-02-27, § 15).

5. **FEES:** Permit fees will be established by the Board of Game and Inland Fisheries effective July 1, 1994.

CONDITIONS OF PERMIT

The following restrictions and limitations are recommended for approval of a permit to possess non-native (exotic) species for research or aquaculture.

1. Facilities holding or rearing non-native (exotic) species which are within the 100 year flood plain, referred to as Zone A on the National Flood Insurance Map¹ shall be enclosed within an earthen or concrete dike or levee raised to an elevation of at least one foot above the 100 year flood elevation. The dike should be constructed in such a manner to exclude all flood waters. Dike construction must be approved by the Department.
2. Open pond culture will not be permitted. All non-native (exotic) species listed in Paragraph 3 shall only be kept in closed aquaculture systems which must be covered or in a building.
3. There shall be no continuous discharge of water.

- a. There shall be no direct discharge from any facility to any watercourse.
- b. Discharge must be according to one of the following:
 1. the outfall shall pass over a dry ground percolation system in which ground absorption of the water is sufficient. The outfall shall pass through a screened filter box which will prevent fish and fish eggs from escapement prior to entering the percolation area.
 2. the outfall shall pass through a chlorination or other effective sterilization process and retention tank for dechlorination. The outfall from the chlorination system shall be screened to prevent escapement of eggs or fry. Such facilities must also comply with regulation of the Department of Environmental Quality.
4. Accidental spillage or escapement of non-native (exotic) species from the facility must be reported within 24 hours to the Department.
5. Non-natives or their hybrids (including eggs) may be obtained only from Virginia permitted dealers or dealers properly permitted out of state and must be certified by the seller as to species shipped, and having disease free status. Each purchase or acquisition of non-native species must be accompanied by a receipt or other written evidence showing date of sale, source, species, quantity of the acquisition and its destination. Such receipt must be in the possession of the permittee, and a copy sent to the Department.
6. The facility shall not sell any live non-native (exotic) species (including eggs) to any person not having a valid permit for purchasing such within the Commonwealth.
7. The permit authorizes agents of the Department to make periodic inspections of the facilities and the stock of each operation. Every person engaged in the business of non-native (exotic) species shall permit such inspection at any reasonable time.
8. Under no circumstances shall any non-native (exotic) species be released into the wild.

¹ Available from the National Flood Insurance Program, U.S. Dept. of Housing & Urban Development (Tel. 1-800-638-6620).

9. **FEDERAL, STATE, OR LOCAL LAWS:** This permit does not absolve the permittee of any responsibilities or conditions of any other Federal, State, or Local laws and regulations, including those that apply to Threatened and Endangered Species.

The Director's decision to issue this permit is final unless you request an

informal conference to contest the terms of this permit within 10 days of the date of the permit issuance. If you fail to request an informal conference within 10 days of the date of the permit issuance, the decision of the Director to issue the permit is final. Upon a timely request, the Director will hold an informal conference pursuant to Va. code § 9-6.14:11 to hear your issues of concern. At such a conference you have the right to appear in person or by counsel or other qualified representative for information presentation of factual data, argument or other proof in connection with your claim. You may also waive your right to appear and instead contest the decision in writing. If an informal conference is held, the proceedings will be tape recorded. You may review your permit file prior to informal conference. Request for informal conferences should provide a written summary of the issues you intend to raise and specify whether you seek to contest the decision by informal or by writing. The Director will issue a final decision in accordance with the Administrative Process Act.

VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES

**APPLICATION/PERMIT
TO IMPORT CERTAIN NON-NATIVE (EXOTIC) WILDLIFE INTO VIRGINIA**

(Under Authority of VR 325-01-2, § 29.1-542 of the Code of Virginia)

Fee: \$10.00

Permit (circle one): **NEW** **RENEWAL** **VDGIF Permit No.**_____

Name of Applicant _____ FIN/IDN _____

Address _____

_____ County _____

Telephone Number (_____) _____

Name and location of facility if different from above, where animal(s) will be

sold: _____

_____ County _____

List species to be imported (common & scientific names): _____

Purpose of importation: _____

Person or facility where animal(s) are to be imported from:

Name: _____

Address: _____

Telephone number: _____ Permit No. _____

Applicant signature _____ Date _____

Make check payable to: **Treasurer of Virginia** and
return to: Permits Section, VDGIF, P.O. Box 11104, Richmond, Virginia 23230-1104

THIS PERMIT EXPIRES DECEMBER 31

-----FOR DEPARTMENT USE ONLY-----

Approved by _____

Title _____ Date _____